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Feb. 24, 2003

Department of Water Resources

Norman C. Young, Chief Administrator  
Idaho Dept. of Water Resources  
1301 North Orchard Street  
P. O. Box 83720  
Boise, Idaho 83720-0098

RE: REQUEST FOR ADMINISTRATION IN BASIN 34 PURSUANT TO THE PARTIAL DECREES

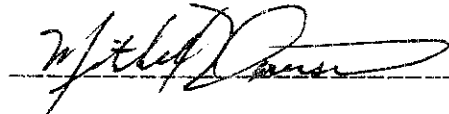
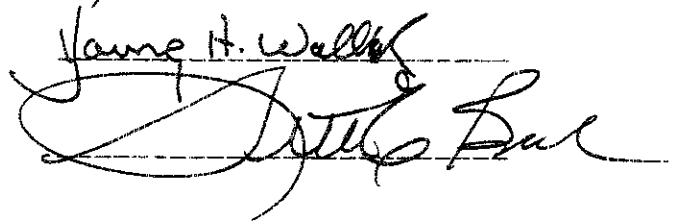
Dear Norm:

As you know the SRBA District Court has recently issued partial decrees for most, if not all, the valid water rights in Basin 34 along with an order of partial decree for the necessary general provisions. It also appears that the water supply for the upcoming irrigation season will be less than what is needed to provide for all water rights through out the entire season. It is obvious that regulating and administering water supplies pursuant to the entire listing of decreed water rights and in compliance with the general provisions will be essential this year. We also believe it is largely the responsibility of IDWR to provide for this administration by properly directing the local watermaster and deputies in their regulatory operation and enforcement of the decrees. We also recognize and believe this administration can best occur with the cooperation and involvement of all water users. Therefore we request the following steps be announced and taken by IDWR prior to the upcoming irrigation season.

- 1.) All water supplies in Basin 34 be distributed, administered, and regulated pursuant to the description and conditions contained in the partial decrees and other valid permits.
- 2.) Each diversion of surface or ground water from the resource be required to be diverted through a operative and functioning controlling works and measuring device.
- 3.) The Water District Watermaster and all Deputies be required to attend IDWR sponsored training regarding the necessary administrative procedures and become completely competent in their associated duties.
- 4.) A full and complete accounting method of water supplies be developed and implemented which requires the weekly submission of data reports to IDWR, and which will be made available to the public upon request.
- 5.) Advance announcement to water users and administrators of these procedures and the notice that person(s) who fail to comply will be subject to notice of violation, prosecution, and/or dismissal.

This letter is not intended to be a request for a formal agency hearing regarding these matters. However, we reserve the right to such a proceeding and/or any other action that may be necessary to provide remedy from the injury caused by non-administration in the past. This letter is intended to be a request for IDWR and water users to cooperation in implementing procedures which will provide for the proper distribution of water supplies in Basin 34. Thank you for your consideration of these matters.

Sincerely,

  
James H. Walker  


Copy to: Doug Rosenkrance, Water District 34 Watermaster  
Big Lost River Irrigation District  
Sen. Don Burtenshaw  
Rep. JoAnn Wood  
Rep. LaNora Barrett

Mar. 13, 2003

David R. Tuthill, Jr  
Adjudication Bureau Chief  
Idaho Dept of Water Resources

Tim Luke  
Water Distribution Section  
Idaho Dept. of Water Resources

RE: FOLLOW-UP REQUEST FOR ADMINISTRATION IN BASIN 34 PURSUANT TO THE PARTIAL  
DECREES

Dear Gentlemen:

In our recent conversation with you, it has brought to our attention that our letter dated Feb. 24, 2003, to Norm C. Young requesting administration in Basin 34 pursuant to the Partial Decrees, may not have been forwarded to you following Mr. Young's recent retirement from IDWR. In an effort to keep the department's attention focused on our request for administration pursuant to the partial decrees, we are enclosing a copy of that Feb. 24, 2003, letter to each of you for your convenience. Please note the five items in that letter we believe are essential for the proper regulation and distribution of water supplies in Basin 34 for the upcoming season.

We would also like to thank you for the time given to us in discussing some of the details of specific water rights and their relationship in the operation of the general provisions. We hope those discussions will be useful as you train and direct our local watermaster and deputies in the regulation and enforcement of water supplies pursuant to the partial decrees.

We also believe some type of distribution recording by those who are charged with the duties of administration is essential for water users to have any sense of confidence that their water rights are not being injured by mismanagement or nonadministration. To that end, would you please forward to us a summary of the accounting procedures you intend to implement this season. Also we would appreciate copies of any related communications between yourselves and others who are involved in the regulation, distribution, and administration of water supplies for Basin 34.

Again, thank you for the time and attention you are giving to these matters.

Sincerely,

